

WHISTLE-BLOWER POLICY

The purpose of this policy is to establish a procedure for individuals, including The Hockessin Montessori School (HMS) employees and families, to report unethical or illegal behavior witnessed by colleagues, superiors or other members of the HMS community. Such activity may involve another employee or outside persons or firms doing business with HMS.

Concerned parties should report any activity that they have knowledge of that would include, but not be limited to the following:

- Violation of any State or Federal law;
- Instances of unethical business conduct;
- Instances of physical abuse to students;
- Instances of child abuse or neglect;
- Instances of danger to student, employee or the public's health and safety

Employee Reporting Process –

1. If someone has knowledge of or concern of such activity or misconduct, the person should communicate with any of the following:

- His/her immediate HMS supervisor or administrator
- HMS Business Manager
- HMS Head of School

2. Any violation involving a HMS administrator or Business Manager should be reported directly to the Head of School.

3. Any violation involving the Head of School should be reported to either the Chair of the Board of Trustees or the Chair of the Finance Committee.

Non-Employee Reporting Process –

1. If someone has knowledge of or concern of such activity or misconduct, the person should contact the Head of School. Communications may be verbal or written. No particular format is necessary. However, all communications should include as much information as possible to permit a thorough and complete evaluation of a complaint or charge. This includes material evidence, names of persons able to corroborate the accusation, if possible, and how to contact the complainant to assure anonymity, if anonymity is desired.

The recipient of such complaint is responsible for ensuring that all information regarding the complaint is properly recorded and thus becomes the formal record of the complaint. A copy of the written complaint will be provided to the complainant for confirmation of accuracy. Anonymity or a verbally registered complaint may hinder the ability of HMS to investigate the matter in a timely and effective manner.

Role of the Head of School – All complaints received under this policy will be promptly submitted to the Head of School, who is responsible for overseeing the investigation and coordinating corrective actions. The Head of School will determine the level of investigation the complaint warrants and who the appropriate party is to perform the investigation. He/She is responsible for determining if the facts support or do not support the complaint. The Head of School will provide a written explanation of the decision to the employee who made the complaint. The Head of School in his/her discretion may report to HMS' outside general counsel complaints received under this policy, their status and their resolution. The Head of School is required to report to the Chair of the HMS Board of Trustees regarding the submission of a complaint and the School's compliance with this policy. For violations involving the Head of School, the Chair of the Board of Trustees will fill the role of the Head of School and perform the responsibilities identified in the preceding paragraphs and report

such complaint to the HMS Executive Committee. A person who believes that his/her report of illegal or dishonest activities or other misconduct involving the School's business or financial affairs is not receiving appropriate attention by the Head of School may contact the Chair of the Board of Trustees.

Responsibility – The person (whistleblower) who makes a complaint or charge must exercise sound judgment and act without malice to avoid baseless allegations or frivolous complaints. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. **Protection** – Whistleblower protections are provided in two important areas – confidentiality and against adverse action in the form of retaliation. Insofar as is reasonably possible, the confidentiality of the whistleblower will be maintained. However, at the discretion of the Head of School or the Chair of the Board of Trustees, the whistleblower's identity may have to be disclosed to conduct a thorough investigation or to comply with applicable laws. HMS will not take adverse action against a whistleblower. This includes, but is not limited to, protection from employment action such as termination, compensation reduction, poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against should contact the Head of School, or in the case of perceived retaliation by the Head of School, the Chair of the HMS Board of Trustees. Any employee, however, who knowingly files a false or materially misleading report of illegal or dishonest activities or other misconduct involving the School's business or financial affairs, is subject to disciplinary actions.

Questions – Questions regarding this policy should be directed to the Head of School or Business Manager.